

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 FEA-02 AID-20

CEQ-02 COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04

SCI-06 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 CIEP-03 CEA-02 TRSE-00 OIC-04 DRC-01

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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5024

INFO USUN NEW YORK 722

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FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT, COMMITTEE II

1. SUMMARY: C-II CONVENED IN INFORMAL SESSION IN MORNING TO CONSIDER WORKING PAPER 1, REVISION 1 ON TERRITORIAL SEA. AFTER LAST FORMAL STATEMENT ON ITEM 4 (STRAITS USED FOR INTERNATIONAL NAVIGATION), C-II CONTINUED INFORMAL DISCUSSION OF REVISED PAPER. U.S. INTERVENED TO SUGGEST THAT PROVISION OF 1958 CONVENTION ON TERRITORIAL SEA BE REFLECTED IN REVISED WORKING PAPER. END SUMMARY.

2. CHAIRMAN AGUILAR EXPLAINED THAT INFORMAL WORKING PAPER 1, REVISION 1, ON TERRITORIAL SEA WAS NOT INTENDED TO REFLECT ANY DECISION ON PARTICULAR PROPOSALS BUT WAS INTENDED TO CONTAIN MAIN TRENDS UNDER CONSIDERATION BY C-II.
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CERTAIN ITEMS WERE EXCLUDED BY THE BUREAU WHICH WOULD BE

TAKEN UP LATER UNDER SUBSEQUENT ITEMS UNDER THE LIST OF SUBJECTS AND ISSUES.

3. CYPRUS INQUIRED AS TO WHY ITS PROPOSAL WAS NOT IN WORKING PAPER. CHAIRMAN RESPONDED THAT REGIME OF ISLANDS WOULD BE DEALT WITH LATER BUT IF MAJORITY WANTED CYPRIOT PROPOSAL, IT WOULD BE INCLUDED. EQUADOR SUPPORTED BY PERU AND URUGUAY, CRITICIZED REVISED WORKING PAPER BASICALLY FOR NOT INCLUDING TWO CLEAR REFERENCES TO 200 MILE ON FIRST PAGE. CHAIRMAN REPLIED THAT 200 MILE REFERENCE HAD BEEN DELETED ON FIRST PAGE BECAUSE THERE WAS A SPECIFIC SUB-ITEM ON BREADTH OF TERRITORIAL SEA LATER IN PAPER WHERE IT WAS APPROPRIATE TO INCLUDE SUCH REFERENCES.

4. PHILIPPINES SUPPORTED BY SEVERAL DELEGATIONS SPOKE AGAINST TREATMENT IN PAPER OF HISTORIC WATERS AND CHAIR AGREED TO RECONSIDER MATTER. FRENCH SUPPORTED BY US AND JAPAN SUGGESTED THAT WHERE A SINGLE FORMULA APPEARED IN DRAFT THERE WAS IMPLICATION THAT PROVISION WAS ACCEPTABLE TO ALL. CHAIRMAN AGREED TO CONSULT BUREAU TO ATTEMPT TO CORRECT THIS DEFICIENCY.

5. US SUGGESTED THAT IT WOULD BE USEFUL TO INCLUDE FULL TEXT OF 1958 CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE WHERE RELEVANT UNDER SPECIFIC ITEMS. US REP. MOORE POINTED OUT THAT ARTICLE 10 OF CONVENTION WOULD BE TAKEN UP LATER AND ARTICLE 6 WOULD BE SUPERFLUOUS. HOWEVER, ARTICLES 9, 11 AND 13 MIGHT BE INCLUDED. REDUNDANCIES SHOULD BE ELIMINATED AND ARTICLE 7 (6) OF CONVENTION SHOULD BE PLACED ALONGSIDE ARTICLE ON HISTORIC WATERS FOR COMPARISON. IT WOULD BE USEFUL TO INDICATE THAT CERTAIN PROVISIONS (E.G., PLURALITY OF REGIMES) OF INFORMAL DRAFT WERE DEPENDENT UPON OTHERS AND WOULD BE INAPPLICABLE IF OTHER PROVISIONS WERE SELECTED PREVIOUSLY.

6. DEMOCRATIC REPUBLIC OF YEMEN MADE STATEMENT DURING FORMAL SESSION IN AFTERNOON STRESSING NEED FOR INNOCENT PASSAGE REGIME IN STRAITS. REP. SAID THAT DIFFERENTIATION SHOULD BE MADE BETWEEN MILITARY AND COMMERCIAL VESSELS AND THAT MILITARY VESSELS SHOULD BE REQUIRED TO GIVE

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NOTICE IN STRAITS. STRAITS OVERLAPPED BY TERRITORIAL SEAS WERE INTEGRAL PART OF TERRITORIAL SEA AND OVERFLIGHT OF SUCH STRAITS SHOULD BE REGULATED BY BILATERAL AGREEMENTS.

7. AT AUSTRALIAN SUGGESTION, CHAIRMAN MOVED TO INFORMAL MEETING WITH NUMBER OF STATES EXPRESSING VIEWS ON REVISED DRAFT WORKING PAPER ON TERRITORIAL SEA. UK INDICATED IT WOULD CONTACT DELEGATION (FIJI) WHOSE TEXTUAL LANGUAGE

HAD BEEN PREFERRED IN ARTICLE 18 OF UK DRAFT IN
ATTEMPT TO WORK OUT DIFFERENCES.

8. MEXICO SUGGESTED THAT WORKING PAPERS ON EACH ITEM BE
LIMITED TO ORIGINAL PLUS TWO REVISIONS. AFTER SEVERAL STATES
SPOKE IN FAVOR OF MEXICAN PROPOSAL, THIS METHOD OF PROCEDURE
WAS ADOPTED BY C-II. CHAIRMAN ANNOUNCED THAT FORMAL MEETING
OF ITEM 5 (CONTINENTAL SHELF) WOULD TAKE PLACE FRIDAY, JULY
26 IMMEDIATELY AFTER PLENARY SESSION AND THAT
WORKING PROCEDURES PRESENTLY BEING FOLLOWED WOULD BE
CONTINUED. CHAIRMAN DEFERRED DECISION ON ISRAEL'S
SUGGESTION THAT SUMMARY OF TRENDS ON EACH ITEM BE PREPARED
DUE TO ABSENCE OF RAPporteur.
STEVENSON

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